

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ARMANDO VILLANUEVA and HORTENCIA )  
SAINZ, INDIVIDUALLY and as )  
successor in interest to Pedro )  
Villanueva, deceased, and ) CASE NO. 8:17-cv-01302  
FRANCISCO OROZCO, individually, ) JLS (KESx)  
Plaintiffs, )  
vs. )  
STATE OF CALIFORNIA; JOHN )  
CLEVELAND; RICH HENDERSON; and )  
DOES 1-10, inclusive, )  
Defendants. )

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VIDEOTAPED DEPOSITION OF ABEL D. OROZCO, taken by the  
Plaintiffs, at 2102 Business Center Drive, First Floor,  
Irvine, California, commencing at 1:05 p.m., Thursday,  
April 19, 2018, before Cristina Roller, Certified  
Shorthand Reporter, License No. 10879, for the State of  
California, pursuant to Subpoena.

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1 not.

2 Q. You didn't know at that time?

3 A. No. Because he didn't say officer or anything  
4 like that.

01:16:19PM 5 Q. Did you see -- so you didn't see his vehicle?

6 A. No.

7 Q. All right. So just follow-up. Did you see any  
8 indication of lights from the officer's vehicle?

9 A. No. No, I didn't. Let me explain to you  
01:16:31PM 10 something real fast. Sometimes -- all the time at night,  
11 people park here on that -- that's a little handicapped  
12 zone right there, and every night people park -- people  
13 park there. So most of the time, you know, we don't see  
14 across so I can't remember. I don't remember if his car  
01:16:48PM 15 was behind a car parked there, if there was one parked  
16 there or if he was parked there. I don't remember that,  
17 and I don't remember that at all.

18 Q. All right. So you heard him -- someone yell what  
19 again?

01:17:00PM 20 A. I don't remember if it was, "Freeze  
21 motherfucker," or, "Don't move motherfucker."

22 Q. And then you heard shots?

23 A. I heard two shots.

24 Q. How long after you heard him say, "Freeze  
01:17:12PM 25 motherfucker," or, "Stop motherfucker," and you heard

1 shots? Can you give me an estimate?

2 A. Maybe about a couple of seconds.

3 Q. What did you see the truck doing when that was --  
4 when those were being yelled out?

01:17:26PM 5 A. I didn't see what the truck did because at that  
6 point, I grabbed my son.

7 Q. Okay. You don't know if the truck --

8 A. No.

9 Q. -- was moving or if it was stopped?

01:17:34PM 10 A. No, I don't.

11 Q. And what did you do when you grabbed your son?

12 A. I tried throwing him in the garage, but he didn't  
13 go in. He just bounced off of -- you know, because I was  
14 going to throw him in there and close the garage. Because  
01:17:46PM 15 I didn't know what was going on. I don't know if it was a  
16 carjacking or if it was, you know -- I didn't know what's  
17 going on. Right? So I tried to close the garage, but  
18 he -- he did this kind of bounce off and ran straight.  
19 Straight this way and then up the stairs.

01:18:00PM 20 Q. Okay. So --

21 A. And he was gone.

22 Q. All right. And you -- in Exhibit 1, are these  
23 the stairs --

24 A. Yes.

01:18:07PM 25 Q. -- that he ran up?

1 BY MS. ESCOBEDO:

2 Q. You can answer.

3 A. Oh. No, I didn't hear nothing -- nothing like  
4 that.

01:43:45PM 5 Q. Okay. Okay. And then so you heard the police  
6 officers, you know, scream profanities, and is that what  
7 alerted you to look up and see the patrol car?

8 A. Yes.

9 Q. Okay.

01:44:09PM 10 A. You keep on saying police officers; right? But  
11 that's kind of like a -- you know, bad neighborhood; right?

12 Q. Um-hum.

13 A. So I didn't know they were police officers.

14 Q. Right. Okay.

01:44:19PM 15 A. It could have -- I thought -- I thought they were  
16 being jacked.

17 Q. Okay. Got it. Okay. And then I just wanted to  
18 get your best estimate as to the very first time you heard  
19 the first round of shots to the second round. I know it's  
01:44:40PM 20 tricky, but if you can give us an estimate. Was it  
21 minutes? Five minutes?

22 A. Well, it's -- it's the time it took me to walk  
23 from here to there, and I walked slow because like I said  
24 I have a torn meniscus.

01:44:58PM 25 Q. Right.

1 STATE OF CALIFORNIA )  
2 COUNTY OF \_\_\_\_\_ ) ss.  
3

4 I, ABEL D. OROZCO, say I have read the foregoing  
5 deposition and declare under penalty of perjury that my  
6 answers as indicated are true and correct.  
7  
8

9 \_\_\_\_\_  
10 (Date)

11 \_\_\_\_\_  
12 (Signature)  
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1 STATE OF CALIFORNIA )  
2 COUNTY OF ORANGE ) ss.  
3 )

4 I, CRISTINA ROLLER, Certified Shorthand Reporter,  
5 License No. 10879, for the State of California, do hereby  
6 certify:

7 That, prior to being examined, the witness named in  
8 the foregoing deposition, to wit, ABEL D. OROZCO, was by  
9 me duly sworn to testify the truth, the whole truth and  
10 nothing but the truth;

11 That said deposition was taken down by me in shorthand  
12 at the time and place therein named and thereafter reduced  
13 to computer-aided transcription under my direction.

14 That the foregoing transcript, as typed, is a true  
15 record of the said proceedings.

16 I further certify that I am not interested in the  
17 event of the action.

18  
19 WITNESS my hand this 27th day of  
20 April, 2018.

21  
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23  
24 CRISTINA ROLLER, C.S.R. NO. 10879  
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